

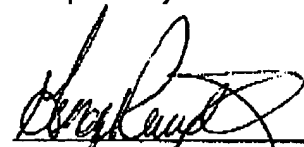
Upon receipt of the Action and reading the sentence bridging pages 5 and 6 of the Action, Applicant's undersigned attorney telephoned Examiner Olsen to work out claim language that recited the unobvious structural differences the Examiner recognized. The language of amended claim 1 was agreed upon as reciting the characteristics distinguishing the present invention from the disclosure in the Carter et al. patent and the secondary references for the reasons already set forth in Applicants' previous response. The Examiner agreed that the claims were allowable over the Carter et al. and secondary reference disclosures and would be allowed absent more pertinent art being found in an updated search.

In view of the amendment to claim 1 and Applicant's remarks in the previous response the USPTO, it is respectfully requested that the USPTO withdraw the 35 U.S.C. rejections of the claims over Carter et al. and Carter et al taken with any one of Hill et al., Durst et al, Manley et al. and Johnson et al. as set forth in paragraphs 2, 3, 4, and 7 to 12 of the Action.

It is respectfully submitted that the foregoing is a full and complete response to the Office Action and that all the claims are allowable for at least the reasons indicated. An early indication of their allowability by issuance of a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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MARKED-UP COPY OF AMENDED CLAIM

1. (Twice Amended) A device for use in the electrochemical analysis of an analyte in a liquid sample, which comprises:

a non-conducting substrate;

a discontinuous conductive layer deposited on adjacent first and second portions, respectively, of the non-conducting substrate and defining a non-conducting gap between the first and second portions;

an analyte-specific reagent coated on the conductive layer on the first portion;

a reference electrode on the [second] the conductive layer on the second portion;

a spacer layer deposited over the conductive layer;

a monofilament mesh coated with a surfactant or chaotropic agent, the mesh being laid over the analyte-specific reagent, the reference electrode and the spacer layer; and

a second non-conductive layer, adhered to and covering the mesh layer, [but] said second non-conducting layer having an exterior edge such that the second non-conducting layer is not co-extensive [therewith] the mesh layer, thereby providing [a sample application area] an exposed portion of the mesh at one exterior edge of the mesh.